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PS

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/388,813	09/01/99	STEPHAN W	21222

000535 MMC1/1121
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EXAMINER	
NGUYEN, V	

ART UNIT	PAPER NUMBER
2858	

DATE MAILED: 11/21/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No.	Applicant(s)	
	09/388,813	STEPHAN, WALDEMAR	
	Examiner	Art Unit	
	VINH P NGUYEN	2858	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

1)☒ Responsive to communication(s) filed on *11/09/2000* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-11* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-11* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a)☐ All b)☐ Some * c)☐ None of the CERTIFIED copies of the priority documents have been:

1.☐ received.

2.☐ received in Application No. (Series Code / Serial Number) _____ .

3.☐ received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

Attachment(s)

15) ☒ Notice of References Cited (PTO-892)
16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *5-6* .
18) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
19) ☐ Notice of Informal Patent Application (PTO-152)
20) ☐ Other: .

1. Claims 1-11 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

It appears that the specification does not disclose in details how the apparatus of figure # 4 is operated and how the computer unit is used for compensating a temperature of a conductor .

2. Claims 1-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, it is unclear what "a power line" and "a motor control circuit" represent. Are they shown in any of drawings? Furthermore, it is unclear whether "a power line" and "a motor control circuit" are parts of an electric motor or they are parts of a pump? In claim 3, it is unclear what "a computing unit" represents. Is it shown in any of drawings? In claim 5, it is unclear what "a computer unit " represents. Is it shown in any of drawings? In claim 6, it is unclear what an electric motor" and "a motor control circuit" represent. Are they shown in any of drawings? " In claim 10, it is unclear what " a processor" represents. Is it shown in any of drawings?

The dependent claims not specifically address share the same indefiniteness as they depend from rejected base claims.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4. Claims 1-4, 6-7 and 10 are rejected under 35 U.S.C. 102(e) as being anticipated by Dowling (Pat # 6,128,583).

As to claims 1-4 and 6-7,10, Dowling disclose a motor stator condition analyzer having an electric motor (30) with power lines (34) for providing power to the motor (30), a motor control circuit (12) electrically connected to the motor and the power lines for controlling the load (38) and means (48,50,52)for measuring voltage drops acrosss at least across of a conductor and means (42,44,46)for measuring currents flowing in conductors. It is noted that Dowling suggests that the load (38) is a pump (see column 4, line 66). It appears the current can be calculated with a known voltage and a known resistance or it can be measured directly, this is a another way to obtain a measured current . Furthermore, it appears that the measured current is proportional to the current drawing from the pump (38).

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims are 1-4 and 6-10 and rejected under 35 U.S.C. 103(a) as being unpatentable over Hendrix et al ({Pat # 4,978,909).

As to claims 1-4 and 6, Hendrix et al disclose a motor current analysis device having an electric motor (20), a load (22) connected to the motor (20) by conductors and driven by the motor (20), and means (24) for measuring the current signal. It appears that the measured current is proportional to the current drawing from the load (22). It would have been obvious for one of ordinary skill in the art measure voltage of the conductor as soon as the current is known by any other known devices. Furthermore, the load could be a pump or other devices since the type of the load would not effect the technique of measuring voltage or current flowing through that load. As to claim 7, it appears that each conductor would have a known specific resistance and a value of that resistance would depend on the type of metal. As to claim 8, the connection of the conductor to the printed circuit board and a plug contact would have been an alternative connection arrangement as long as this arrangement is compact and safe for carrying out the test procedure. As to claim 10, it would have been well-known in the art to consider that the measuring means (24) is equivalent to a processor.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kliman (Pat # 5,049,815) discloses spectral analysis of induction motor current to detect rotor faults with reduced false alarms.

Koegl et al (pat # 5,514,978) disclose stator turn fault detector for AC motor.

Bowers et al (Pat # 5,739,698) disclose machin fault detector using slot pass frequency flux measurements.

8. Currently, two German references cited on PTO-1449 have not been considered since there are no English translations. In order for Examiner to consider those references, Applicant is required to provide English translations for those references.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VINH P. NGUYEN whose telephone number is (703) 305-4914. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4900.

VINH P. NGUYEN
PRIMARY EXAMINER
ART UNIT 2858
11/17/2000